

Notice of Allowability

Application No.

10/530,240

Applicant(s)

MULLER ET AL.

Examiner

Art Unit

Mohammad Meah

1652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/08/06.
2. ☐ The allowed claim(s) is/are 1 and 3-5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>11/25/05</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Claims 1-18, 21-30 are pending.

Claims 1 and 3-5 are allowable after following amendments.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by David R. Saliwanchik with Telephone on 12/14/2006.

EXAMINER'S AMENDMENT

EXAMINER'S AMENDMENT

Cancel claims 2, 6-18 and 21-30.

Rewrite claims 1 and 3-5 as follows:

The following is an examiner's statement of reasons for allowance:

Claim 1. A method for the synthesis of amorphous silicone dioxide (condensation products of the silicic acid, silicates), silicones or other silicon (IV)- or metal (IV)-

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compounds or mixed polymers of these compounds comprising contacting a silicon substrate (or substrates) with a polypeptide or a metal complex of a polypeptide comprising a carbonic anhydrase domain that exhibits the sequence of SEQ ID NO:

1.

3. The method according to claim 1 for the synthesis of amorphous silicone dioxide (condensation products of the silicic acid, silicates), silicones or other silicon (IV)- or metal (IV)-compounds or mixed polymers of these compounds comprising contacting a substrate, wherein the substrate(s) is selected from the group consisting of silicic acids, monoalkoxysilantrioles, dialkoxysilandioles, trialkoxysilanoles, tetraalkoxysilanes, alkyl- or aryl-silantrioles, alkyl- or aryl-monoalkoxysilandioles, alkyl- or aryl-dialkoxysilanoles, alkyl- or aryl-trialkoxysilanes or other metal(IV)- compounds.

4.The method according to claim 3, wherein mixed polymers having a defined composition are produced by using defined mixtures of the substrate compounds.

5. The method according to claim 1, wherein the synthesized silica product (s) comprise defined two- and three-dimensional structures.

The following is an examiner's statement of reasons for allowance:

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Applicant has isolated new carbonyl reductase of SEQ ID NO: 1. As such method of synthesis of silica products using said carbonyl reductase of SEQ ID NO: 1. is novel and non-obvious.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Meah whose telephone number is 571-272-1261. The examiner can normally be reached on 8:30-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ponnathapu Achutamurthy can be reached on 571-272-0928. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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